

AMENDED IN SENATE JUNE 20, 2002
AMENDED IN ASSEMBLY MAY 31, 2001
AMENDED IN ASSEMBLY APRIL 25, 2001
AMENDED IN ASSEMBLY APRIL 16, 2001
AMENDED IN ASSEMBLY MARCH 28, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1400

Introduced by Assembly Member Cogdill

February 23, 2001

An act relating to solid waste, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1400, as amended, Cogdill. Mixed solid waste composting facility: ~~pilot project.~~

(1) Existing law, the California Integrated Waste Management Act of 1989, establishes an integrated waste management program administered by the California Integrated Waste Management Board. Under existing law, the act requires each city, county, city and county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. On and after January 1, 2000, the element is required to divert 50% of the solid waste subject to the element, except as specified, through source reduction, recycling, and composting activities.

This bill would ~~appropriate \$900,000 from the General Fund to the County of Mariposa, for expenditure without regard to fiscal year, to~~

~~construct and operate a mixed solid waste composting facility, in cooperation with Yosemite National Park. The bill would require the county County of Mariposa, by July 1, 2002 2003, and by July 1 annually until July 1, 2007, to submit a report to the board concerning the county's progress in funding, constructing, and operating the a mixed solid waste composting facility funded by the bill in cooperation with Yosemite National Park, thereby imposing a state-mandated local program by imposing a new duty upon a the county.~~

~~The bill would specify that this appropriation of funds does not prevent the County of Mariposa from including waste diverted to the composting facility from the act's diversion requirements.~~

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: ~~2/3~~ majority. Appropriation: ~~yes~~ no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The County of Mariposa, in cooperation with Yosemite
4 National Park, ~~have worked collectively~~ *are working* to find a
5 viable solution to divert, from landfill disposal, 50 percent of the
6 region's generated solid waste, as required by the California
7 Integrated Waste Management Act of 1989.

8 (b) The County of Mariposa and Yosemite National Park
9 annually generate approximately 13,000 tons of mixed solid
10 waste, 600 tons of biosolids, and 180,000 gallons of septage, ~~and~~
11 ~~due to these waste stream's characteristics and the overall rural~~
12 ~~nature of the area, composting has been determined to be the most~~
13 ~~economical and environmentally sound method to achieve the 50~~
14 ~~percent diversion requirement.~~

15 (c) The County of Mariposa and Yosemite National Park are
16 proposing to secure a unique type of composting facility that
17 would decompose mixed solid waste and would produce a dry,
18 ~~stable, and inert material that may be used for landfill daily cover~~

1 or as a product for the cogeneration of electricity as this material
2 has a high Btu value: *stable, and inert material.*

3 ~~(d) The proposed compost facility would thus be a showcase~~
4 ~~facility that would demonstrate a partnership of the local, state, and~~
5 ~~federal levels of government while enhancing the environmental~~
6 ~~quality, health, and safety of solid waste management throughout~~
7 ~~the County of Mariposa and Yosemite National Park and serving~~
8 ~~as a pilot project for the development of a multijurisdictional solid~~
9 ~~waste management strategy and environmental technology to~~
10 ~~implement that strategy.~~

11 ~~SEC. 2. (a) The sum of nine hundred thousand dollars~~
12 ~~(\$900,000) is hereby appropriated from the General Fund to the~~
13 ~~County of Mariposa, for expenditure without regard to fiscal year,~~
14 ~~to construct and operate a mixed solid waste composting facility,~~
15 ~~in cooperation with Yosemite National Park.~~

16 ~~(b) On or before July 1, 2002, and on or before July 1 annually~~
17 ~~until July 1, 2007, the County of Mariposa shall submit a report to~~
18 ~~the California Integrated Waste Management Board concerning~~
19 ~~the county's progress in constructing and operating the mixed solid~~
20 ~~waste composting facility funded pursuant to this section,~~
21 ~~including the success of the county in implementing mixed waste~~
22 ~~composting and the production of electricity by cogeneration from~~
23 ~~the facility.~~

24 ~~(c) In Mariposa County's effort to meet the requirements of~~
25 ~~Section 41780 of the Public Resources Code, and as otherwise~~
26 ~~allowed by the California Integrated Waste Management Board,~~
27 ~~nothing in this section prevents the County of Mariposa from~~
28 ~~including solid waste diverted to the mixed solid waste~~
29 ~~composting facility funded pursuant to this section in the amount~~
30 ~~of solid waste that is diverted from landfill disposal or~~
31 ~~transformation for purposes of Section 41780.2 of the Public~~
32 ~~Resources Code.~~

33 *SEC. 2. On or before July 1, 2003, the County of Mariposa*
34 *shall submit a report to the California Integrated Waste*
35 *Management Board concerning the county's progress in funding,*
36 *constructing, and operating a mixed solid waste composting*
37 *facility in cooperation with Yosemite National Park. The report*
38 *shall include, but need not be limited to, information regarding all*
39 *of the following:*

1 (a) Local, state, and federal requirements for the project, status
2 of compliance with the California Environmental Quality Act
3 (Division 13 (commencing with Section 21000) of the Public
4 Resources Code), and permits received.

5 (b) Technical and economic feasibility, and cost-effectiveness,
6 of the project.

7 (c) Adverse environmental impacts of the project, and
8 alternatives and mitigation measures for those impacts.

9 (d) Environmental and public policy benefits of the project,
10 including, but not limited to, landfill avoidance, pollution
11 prevention, and sustainability, including, but not limited to,
12 information regarding whether the project is the most economical
13 and environmentally sound method to divert 50 percent of all solid
14 waste from landfill or transformation through source reduction,
15 recycling, and composting, as required under paragraph (2) of
16 subdivision (a) of Section 41780 of the Public Resources Code,
17 and to exceed that requirement pursuant to subdivision (b) of
18 Section 41780 of the Public Resources Code.

19 (e) Programs and projects to ensure that noncompostable
20 materials will be properly reduced, reused, and recycled.

21 (f) Mariposa County and Yosemite National Park education
22 programs for diverting solid waste from landfills.

23 SEC. 3. No reimbursement is required by this act pursuant to
24 Section 6 of Article XIII B of the California Constitution because
25 the only costs that may be incurred by a local agency or school
26 district are the result of a program for which legislative authority
27 was requested by that local agency or school district, within the
28 meaning of Section 17556 of the Government Code and Section
29 6 of Article XIII B of the California Constitution.